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9 **UNITED STATES DISTRICT COURT**

10 EASTERN DISTRICT OF CALIFORNIA

11 ELORA ELMER,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL SECURITY,

15 Defendant.

Case No. 1:22-cv-01045-SAB

ORDER RE: STIPULATED MOTION TO
MODIFY SCHEDULING ORDER

(ECF Nos. 13, 23)

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18 On March 30, 2023, the parties submitted a stipulated request for a second extension of
19 time, which the Court construes as a stipulated motion to modify the scheduling order. (ECF No.
20 23.) The parties seek a 30-day extension of time to file Plaintiff's motion for summary judgment
21 from April 3, 2023, to May 3, 2023. This is Plaintiff's second request for an extension. The parties
22 proffer good cause exists because, from this week through April 3, 2023, counsel currently has 31
23 merit briefs due, as well as several letter briefs and reply briefs; counsel continues to work limited
24 hours while he takes partial paternity leave; counsel is also required to take several breaks
25 throughout the workday because he underwent major surgery on March 15, 2023; and counsel is
26 covering several matters during co-counsel Dolly Trompeter's leave of absence. The Court is
27 satisfied that good cause exists to grant the requested extension.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The parties' stipulated motion to modify the schedule (ECF No. 23) is GRANTED;
- 3 2. Plaintiff shall have until **May 3, 2023**, to file the motion for summary judgment;
- 4 and
- 5 3. All remaining deadlines as set forth in the scheduling order (ECF No. 13) shall be
- 6 modified accordingly.

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8 IT IS SO ORDERED.

9 Dated: March 30, 2023



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UNITED STATES MAGISTRATE JUDGE